

Status: Active Policy
Effective Date: June 8, 2006 through June 30, 2008
Revised Date: N/A
Approved By: J. Stephen Fletcher, CIO
Authority: *Utah Admin. Code R477-10; Utah Admin. Code R-477-11; Utah Admin. Code R477-14; DTS POLICY 2000-0002 Employee Relations; DTS POLICY 2000-0005 Dismissal of Schedule A Employees*

1.1 PURPOSE

This policy is to promote a working environment that ensures employee ethical and professional conduct and brings out the full potential of each employee.

1.1.1 Background

The success of the Department of Technology Services (DTS) is dependant upon the trust, credibility, and confidence earned from employees, clients, and stakeholders. This trust and credibility is obtained by adhering to commitments, displaying honesty and integrity, and reaching Department goals through honorable conduct.

This Code of Conduct applies to all work-related activities of Department employees. Employees are expected to conform to this Code and relevant professional standards and to comply with all applicable laws, rules, and policies. Conduct that violates approved professional standards or other laws may be unethical and subject to employee discipline, even if it is not specifically listed in this policy. By complying with this policy, employees protect their integrity and reputation as well as that of the State of Utah, the Department, the Department's clients, and their associates.

1.1.2 Scope

This policy applies to all employees of DTS.

1.1.3 Exceptions

None.

1.2 POLICY

It is the policy of DTS that all employees of the Department adhere to the following standards.

1.2.1 STANDARDS

1.2.1.1 Fostering Good Client Relations

1.2.1.1.1 Relationships with Clients and Vendors

- 1.2.1.1.1.1 Employees shall avoid relationships or commitments that would knowingly be detrimental to the interests of the State.
- 1.2.1.1.1.2 Employees shall not use their positions, or information acquired through their positions, to coerce or otherwise influence clients or vendors to provide favors for themselves or others.

1.2.1.1.2 Managing Records and Information

- 1.2.1.1.2.1 Employees shall respect and protect the confidentiality and privacy of records and information, and shall not use information contained in a private, controlled, or protected record for personal purposes.
- 1.2.1.1.2.2 Employees shall not tape or record any activities except as permitted by law or policy and approved by DTS management.
- 1.2.1.1.2.3 Employees shall not knowingly violate any State or federal laws (including the Government Records Access and Management Act (GRAMA)) that specify when and how clients, other agencies, and the public may inspect or copy the Department's records, including client records.
- 1.2.1.1.2.4 Employees shall not falsify or wrongfully destroy any record, report, or claim, or knowingly enter, or cause to be entered, any false or improper information in Department records.

1.2.1.2 Relationships with Other Employees

1.2.1.2.1 Work Relationships

- 1.2.1.2.1.1 Employees shall treat their fellow employees respectfully and professionally.

- 1.2.1.2.1.2 Employees shall not harass, stalk, discriminate against, or make unwanted advances or sexually suggestive comments to another employee.
- 1.2.1.2.1.3 Employees shall use non-abusive, respectful, and decent language (this prohibits any profanity or vulgar language or activity that is demeaning, belittling, or knowingly offensive to other employees).
- 1.2.1.2.1.4 Employees shall respect the religious values and cultural differences of their colleagues.
- 1.2.1.2.1.5 Employees shall not be insubordinate or disloyal to appropriate orders of a manager or supervisor. An employee may seek assistance from the HR Director if the employee believes they have received an inappropriate order.
- 1.2.1.2.1.6 Employees shall avoid slanderous or malicious gossip.

1.2.1.2.2 Supervisory Relationships

- 1.2.1.2.2.1 Supervisors or other administrators shall treat subordinates with respect and dignity.
- 1.2.1.2.2.2 Supervisors or other administrators shall create an open and supportive environment where employees feel comfortable raising issues and questions consistent with DTS employee relations policy.
- 1.2.1.2.2.3 Supervisors or other administrators shall encourage and facilitate the professional development of employees in fulfilling their job duties within available resources.
- 1.2.1.2.2.4 Supervisors or other administrators shall not exploit other employees for personal favors or gain.
- 1.2.1.2.2.5 Supervisors or other administrators shall not use their position of authority to harass, stalk, discriminate against, or become involved in sexual relationships with another employee.
- 1.2.1.2.2.6 Supervisors or other administrators shall report instances of questionable or unethical behavior to the DTS HR Office.

1.2.1.3 Personal Work Ethics

1.2.1.3.1 Laws, Rules, and Regulations

Employees will obey applicable civil or criminal laws, regulations, rules, or policy governing their work or professional activities.

1.2.1.3.2 Professional Competence

- 1.2.1.3.2.1 Employees shall truthfully represent to their employer, clients, and prospective clients their professional credentials and licensure, education, training, and experience.
- 1.2.1.3.2.2 Employees shall report through appropriate channels any known or suspected treatment toward employees or clients that is unlawful or against policy, such as abuse, discrimination, stalking, or harassment.
- 1.2.1.3.2.3 Employees shall support a work environment that is safe from all forms of violence, including domestic violence perpetrated within the workplace.
- 1.2.1.3.2.4 Employees shall not engage in unprofessional conduct on or off the job that compromises the ability of the employee or agency to fulfill professional responsibilities.
- 1.2.1.3.2.5 Employees shall not cause damage to public property or waste public resources, supplies, or funds, or use public property for personal or private advantage in violation of the Acceptable Use of Information Technology Resources Policy through negligence or willful misconduct.
- 1.2.1.3.2.6 Employees shall not use State resources for personal gain.

1.2.1.3.3 Performance of Duties

- 1.2.1.3.3.1 Employees shall perform their assigned duties during the full schedule for which they are being compensated.
- 1.2.1.3.3.2 Employees shall not engage in any activity that could be considered a dereliction of duty, including, but not limited to, absence without leave, abuse of leave, neglect of standard performance, willful delays or neglect to perform assigned duties and responsibilities, inattention to duty, or leaving their work area unattended or inappropriately attended.
- 1.2.1.3.3.3 Employees shall not participate in, condone, conceal, or be associated with dishonesty, fraud, misrepresentation, or theft.

- 1.2.1.3.3.4 Employees shall not consume or use alcohol or illegal substances, or be under the influence of alcohol or illegal substances, while on compensated work time, while on-call, on State property, or while operating any vehicle while on duty.
- 1.2.1.3.3.5 Employees shall not consume any controlled substance, as defined in Utah Code § 58-37-2(1), that impairs the employee's ability to safely perform his or her duties during compensated work time, while on-call, on State property or while operating a State vehicle. An employee desiring an exception to this policy shall submit a written request for approval to his or her immediate supervisor with an explanation as to how the duties may be temporarily changed or limited to ensure the employee's safety and the safety of others.
- 1.2.1.3.3.6 Employees shall not unlawfully manufacture, dispense, possess, or distribute any controlled substance or alcohol during working hours, on State property, or while operating any vehicles while on duty.
- 1.2.1.3.3.7 Employees shall not solicit unauthorized contributions nor distribute unauthorized materials during work hours.

1.3 PROCEDURES

1.3.1 Reporting Violations

Employees shall immediately report suspected violations of this Code through their immediate Supervisor. If for any reason that is not possible, the report should be directed to the Office of Human Resources or the Executive Director.

1.3.2 Violations of Code

Depending on the circumstances, the violation, and the degree of the employee's culpability, the Department may take one or more of the following agency actions, consistent with Human Resource Management Rule R477-10 and/or 11:

- Corrective Action
- Disciplinary Action (which may include dismissal)
- Referral of the Matter to Law Enforcement, or the Office of the Attorney General, for Possible Legal Action (including criminal prosecution)
- Termination of Employment

Department administrators shall consult with the Office of Human Resources regarding the most appropriate action to take in response to an employee's violation of this Code. When a violation results in an employee corrective or disciplinary action, the employee's Supervisor shall place documentation of the violation, and the

resulting action, in the employee's official personnel file, consistent with Human Resource Management Rules.

If an employee's violation of this Code results in either personal gain to that employee, or personal harm or loss to a client, the State, or another employee, disciplinary action is generally warranted. If the employee's Supervisor decides not to take disciplinary action, the Supervisor shall document the violation, the gravity of the violation, and the extent of the resulting gain or losses, and the reasons why disciplinary action was not warranted in the particular situation.

Employees who are subject to a law suit resulting from violations of this policy or other acts that are illegal or out of the scope of State employment duties may not be indemnified under the Governmental Immunity Act.

1.4 RELATED DOCUMENTS

- Utah Code §58-37-2(1)
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DOCUMENT HISTORY

Originator:	Larene Wyss, DTS-HR
Next Review:	May 15, 2008
Reviewed Date:	N/A
Reviewed By:	N/A